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HUMAN RIGHTS COMMITTEE

Fifty-eighth session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)* OF THE 1554th MEETING

Held at the Palais des Nations, Geneva
on Tuesday, 5 November 1996, at 5 p.m.

Chairman: Mr. BHAGWATI
(Vice-Chairman)

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* The summary record of the first part (closed) of the meeting appears as document CCPR/C/SR.1554.

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The public part of the meeting was called to order at 5 p.m.

TRIBUTE TO MR. MAVROMMATIS

1. Mrs. CHANET said that Mr. Andreas Mavrommatis, who was leaving the Committee after an unbroken membership period of 20 years including 10 years as Chairman, deserved the Committee's warmest thanks for his remarkable contribution to its work. His outstanding diplomatic talents had done a great deal to assist the Committee's harmonious development in the cold war era. In particular, the consensus rule adopted on his initiative had been of inestimable value.

2. Mr. Mavrommatis' vast experience in the political, legal and diplomatic fields and his deep devotion to the cause of human rights had helped to meet many challenges arising from the original character of the Committee, which was not a political body, a court of law, a university or a non-governmental organization, but was a subtle blend of all those elements. His talents as a negotiator and his perseverance had contributed enormously towards building up the Committee's prestige and she hoped that its members would continue to benefit from his advice and help in the future.

3. Mr. LALLAH, recalling the Committee's inauguration in the winter of 1977, said that the original members' choice of Chairman had soon been proved judicious as the rules of procedure, and especially the consensus rule already mentioned, had been adopted one by one. In the Committee, States were required for the first time in history to open their human rights records to public scrutiny, and that at a time when the power of totalitarian regimes in Eastern Europe was still unbroken.

4. The leadership provided by Mr. Mavrommatis, his firmness and understanding and his insistence on constructive dialogue, had been of inestimable value in those early years. It would also be remembered that, on the occasion of the presentation of the initial report of his own country, Cyprus, Mr. Mavrommatis had inaugurated the practice still in force whereby a Committee member from a reporting country refrained from participating in the debate.

5. Many years later, in 1996, his own sense of loss occasioned by Mr. Mavrommatis' departure was tempered by gratitude for having had him as a colleague for so long and by the hope that members would be able to turn to him for advice and encouragement in the future.

6. Mr. PRADO VALLEJO said that the Committee's tribute to Mr. Mavrommatis was well deserved. As Chairman in the difficult early days, charting the course of the Committee with wisdom, open-mindness and diplomatic skill, he had been balance personified, satisfying all sides and enlisting the full trust of all members. The adoption of the consensus rule, in particular, had been of immeasurable value in enhancing the Committee's efficacy and prestige. Like the previous speakers, he hoped that, although Mr. Mavrommatis' membership of the Committee was ending, he would continue to be on hand to offer advice and assistance in the defence of human rights.

7. Ms. MEDINA QUIROGA said that Mr. Mavrommatis combined penetrating political insight with profound legal knowledge and a firm commitment to the defence of human rights, qualities that were no less vital in the current circumstances than during the cold war. As a fellow Committee member, she had particularly appreciated his human and intellectual qualities and his sense of humour.

8. Ms. EVATT said that, before joining the Committee, she had wondered whether Mr. Mavrommatis had life tenure as Chairman. She had not been aware at the time that the tenure of those holding judicial or quasi-judicial office was one of his favourite subjects.

9. She had always admired the confidential and earnest tone he used to engage the attention of representatives of States parties when pointing out precisely where they had gone wrong.

10. Mr. BUERGENTHAL said that he had concluded from a review of the Committee's summary records and annual reports, carried out for a recent research project, that Mr. Mavrommatis deserved the greatest credit for preventing the Committee from becoming a political football in the ideological struggle between East and West. Under his leadership, the Committee had become the flagship of the United Nations human rights treaty bodies.

11. Mr. EL SHAFEI said he had first met Mr. Mavrommatis when they were both serving as representatives in Geneva of Cyprus and Egypt respectively, two Mediterranean countries with ancient civilizations which were looking forward to a better future. The Committee's record bore the hallmark of the skilful stewardship of its Chairman during the cold war years.

12. Mr. BRUNI CELLI said that, on inquiring about the future plans of Mr. Mavrommatis, he had discovered a man full of inner strength and energy that would be channelled into writing, research and other activities in continuation of his career as a creator, defender and cultivator of human rights.

13. Mr. POCAR said that, after his prodigious performance as Chairman, Mr. Mavrommatis might easily have rested on his laurels. Instead he had served as Special Rapporteur on capital cases and Special Rapporteur on New Communications and had recently played a prominent role in developing the follow-up procedures.

14. Mr. ANDO said that Mr. Mavrommatis had struck an admirable balance between firmness and flexibility, uniformity and diversity, legal principles and pragmatism. He was a living monument to the ability of a single individual to advance the cause of human rights for mankind as a whole.

15. Mr. KRETZMER said that some of the most spellbinding moments he had experienced in the Committee had been when Mr. Mavrommatis explained basic principles of common law. He had displayed a unique ability to put across legal concepts in an accurate and accessible way.

16. Mr. KLEIN said that, as an academic, he had witnessed the Committee's rapid rise to a position of high esteem and prestige under the leadership of Mr. Mavrommatis. Since joining the Committee, he had come to appreciate above all his colleague's combination of common sense, legal knowledge and a sense of humour.

17. Lord COLVILLE said that, as a newcomer to the Committee, he had not at first understood why Mr. Mavrommatis commanded such amazing authority. But having listened to his colleagues, he felt that the Committee and all its members had a duty to preserve the edifice so carefully constructed by Mr. Mavrommatis and to continue improving it as a memorial to his achievement.

18. Mr. FRANCIS paid tribute to Mr. Mavrommatis' work in Jamaica. His efforts had produced tangible results and would continue to bear fruit, as witnessed, inter alia, by the recent visit to the Committee of the Solicitor-General of Jamaica.

19. Mr. BAN said he was deeply thankful that fate had afforded him the opportunity to serve on the Committee with Mr. Mavrommatis for three years.

20. The CHAIRMAN said that Mr. Mavrommatis had the sagacity of a judge, the skill of a diplomat and the practical wisdom of a man of the world. He had worked unobtrusively but effectively and the Committee had benefited greatly from his mature and balanced outlook.

21. Mr. TISTOUNET (Secretary of the Committee) thanked Mr. Mavrommatis for his accessibility, his assistance and his good advice to the Secretariat, both under article 40 of the Covenant and in respect of communications.

22. Mrs. Chanet presented Mr. Mavrommatis with a gift from the Committee.

23. Mr. MAVROMMATIS said he was deeply moved by the tribute that had been paid to him. It made the efforts he had expended on behalf of the Committee over the previous 20 years well worth while, but it also brought home to him the reality of his departure and the breaking of bonds that he deeply cherished.

24. The Committee had been blessed from the outset with the services of some outstanding gifted individuals. When the time for change had come after the cold war, a wonderful blending of the ideas of new members with the experience of their older colleagues had steered the Committee through the realities of post-bipolarism. A special word of thanks was also due to the Secretariat and, in particular, to the successive secretaries of the Committee.

25. As he was reluctant to sever completely his relations with the international bodies working for the cause of human rights, he had been pleased to hear that his continued services to the Committee would be appreciated.

26. Mr. AYALA LASSO (High Commissioner for Human Rights) said that a page in the history of the Committee and of international human rights law was being turned with the departure of Mr. Mavrommatis, whom he thanked on behalf of the Secretary-General and on his own behalf for 20 years of outstanding service.

As a founding member of the Committee, he had contended with the countless difficulties and major challenges of the cold war era and had steered the Committee along a path that had won it the prestige and reputation it still retained.

27. In his relations with the States parties, he had combined diplomacy with an insistence on strict compliance with the provisions of the Covenant. To that end, he had striven tirelessly to improve the Committee's working methods under article 40. He had been equally devoted to the task of promoting the Optional Protocol as a key instrument of international human rights law. As Special Rapporteur on Follow-Up on Views, he had ensured that the Committee's recommendations on communications were acted on by States parties and that its proceedings were reflected in legal journals in many countries.

28. He assured Mr. Mavrommatis that the United Nations would continue to draw on his outstanding human rights experience and would call on his services as soon as an appropriate opportunity arose.

29. He also paid tribute to Mr. Aguilar Urbina, Mr. Bán, Mr. Bruni Celli and Mr. Francis whose terms of office expired at the end of 1996.

30. Mr. MAVROMMATIS said that he was touched and honoured by the presence and words of the High Commissioner and assured him that he would spare no effort in serving the cause of human rights and in assisting the Committee and the United Nations wherever possible.

The meeting rose at 6.15 p.m.